

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DJAYGEE, INC.,

Plaintiff,

V.

NATIONAL HOCKEY LEAGUE,
NHL ENTERPRISES, INC., and
NHL ENTERPRISES, L.P.,

Defendants.

CIVIL ACTION NO. 04-11135 NG

**PLAINTIFF'S CERTIFICATION
PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Rule 16.1(D)(3) of the Local Rules of the United States District Court for the District of Massachusetts, Plaintiff Djaygee, Inc. and its counsel hereby certify that they have conferred: (1) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of litigation; and (2) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

DJAYGEE, INC.

/s/ John Gray (by JAD)

John Gray

President

Djaygee, Inc., d/b/a Cutting Edge Sports

One Bryant Street

Woburn, Massachusetts 01801

COUNSEL FOR PLAINTIFF

DJAYGEE, INC.,

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Dated: November 23, 2004